

22 February 1833.



(Ireland.)

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INTITULED,

AN ACT for the more effectual Suppression of
local Disturbances and dangerous Associations
in *Ireland*.

N. B. *The Figures in the Margin denote the number of Pages in the
Enactment.*

WH¹ **H**EREBY there is now prevalent in certain parts of
Ireland a dangerous Conspiracy against the Rights of Pro-
perty and the Administration of the Laws, which has been manifested,
as well by open and daring Outrages against the Persons and Property
of His Majesty's peaceable Subjects, as by tumultuous movements of
large bodies of evil-disposed persons, who have by their numbers and
violence created such general alarm and intimidation as materially to
impede the due course of public Justice, and to frustrate the ordinary
modes of Criminal Prosecution:

Preamble:

A Conspiracy exists
in certain parts of
Ireland against Pro-
perty and the
Administration of
the Laws, causing
such general Alarm
as to frustrate the
ordinary modes of
Criminal Prosecuting.

And whereas divers Meetings and Assemblies, inconsistent with
the public peace and safety, and with the exercise of regular govern-
ment, have for some time past been held in *Ireland*: And whereas
the Laws now in force in that part of the United Kingdom have been
found inadequate to the prompt and effectual suppression of the said
mischiefs, and the interposition of Parliament is necessary for the purpose
of checking the further progress of the same;

Divers Meetings
inconsistent with the
public peace have
been lately held, and
the Laws now in
force are not suffi-
cient to suppress
such Mischiefs.

BE it therefore Enacted, by The KING's most Excellent
MAJESTY, by and with the Advice and Consent of the Lords Spiritual
and Temporal, and Commons, in this present Parliament assembled, and

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1.
The Lord Lieutenant may, by Order, prohibit or suppress the meeting of any Assembly deemed by him to be dangerous to the public safety, or inconsistent with the due Administration of the Law; and may suppress any adjourned or continued Meeting of the same.

Every Meeting so prohibited shall be deemed an unlawful Assembly, and every Person present shall be deemed guilty of a Misdemeanor.

by the Authority of the same, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at any time after the passing of this Act, and from time to time during the continuance thereof, as occasion may require, by his or their Order, to prohibit or suppress the meeting of any Association, Assembly, or Body of Persons in *Ireland* which he or they shall deem to be dangerous to the public peace or safety, or inconsistent with the due administration of the law, and by the same or any other Order also to prohibit every or any adjourned, renewed, or otherwise continued Meeting of the same, or of any part thereof, under any name, pretext, shift or device whatsoever; and that every Meeting of any Association, Assembly or Body of Persons, the meeting whereof shall be so prohibited or suppressed as aforesaid, and every postponed, adjourned, renewed or otherwise continued Meeting thereof, under any name, pretext, shift or device whatsoever, shall be and be deemed an unlawful Assembly; and every Person present at the same shall be deemed guilty of a Misdemeanor, and every such Offence committed within any District proclaimed in pursuance of this Act shall be cognizable by any Court appointed as hereinafter mentioned, and if not committed within any such District, shall be tried and punished according to the course of the Common Law.

2.
Two Justices empowered, upon being refused Admission, to enter by force any House or Place where any prohibited Assembly is held, and there read a Notice to the Persons so assembled, to disperse.

And be it Enacted, That any Two or more Justices of the Peace shall and may proceed, with such Assistance as shall be necessary, to any House, Room, or Place whatever, where any such Justices shall have good reason to believe, from Information on Oath, that any Association, Assembly, or Meeting of Persons, whereof the meeting shall have been so prohibited, is held, and shall and may, in case they shall be refused Admission, enter therein by force; and one of the said Justices, or some other Person by his order, shall then and there read or repeat aloud to the Persons so assembled, a Command or Notice to disperse, in the words or to the effect following; (that is to say)

Notice.

“ OUR Sovereign Lord the King chargeth and commandeth all Persons being assembled, immediately to disperse and peaceably to depart, upon the Pains contained in the Act made in the Third year of the reign of King WILLIAM the Fourth, for the more effectual Suppression of local Disturbances and dangerous Associations in *Ireland* : ”

Persons so assembled, and not dispersing within a Quarter of an Hour from the reading of such Notice, may be apprehended then or afterwards, and upon Conviction imprisoned Three Months for the First Offence and One Year for any subsequent Offence.

And in case any of the persons so met or assembled together shall not disperse and depart within the space of One Quarter of an Hour from the time of such Notice or Command being given, it shall be lawful for the same or any Two of the same Justices of the Peace then present to cause the person or persons so refusing or neglecting to disperse or depart, to be apprehended and brought before them, or

in case such person or persons cannot then be apprehended, such person or persons may be afterwards apprehended by a Warrant for that purpose to be granted by any Two Justices of the Peace within whose Jurisdiction such unlawful Association, Assembly or Meeting shall have been held, and such Offender or Offenders shall thereupon be proceeded against in a summary way for such Offence before any Two Justices of the Peace, who are hereby authorized to convict such Offender, either on the view of one of the said convicting Justices, or on the Confession of such Offender, or on the Oath of one or more credible Witness or Witnesses, and thereupon to commit the Person so convicted to any one of His Majesty's Common Gaols or Prisons in *Ireland* for the term of Three Calendar Months, and for a Second or any subsequent Offence for the term of One whole Year.

And be it Enacted, That where any Person shall be prosecuted by Indictment for any such Misdemeanor as aforesaid, such Person shall plead to such Indictment forthwith, so that the Trial thereof may not be delayed or postponed to any subsequent Term or Session of the Court in which such Trial is to take place.

3-
Persons prosecuted
by Indictment, to
plead forthwith

And be it Enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, with the Advice of His Majesty's Privy Council in *Ireland*, at any time after the passing of this Act, and from time to time during the continuance thereof, as occasion may require, to issue his or their Proclamation declaring any County, County of a City, or County of a Town in *Ireland*, or any portion thereof respectively, to be in such a state of Disturbance and Insubordination as to require the application of the provisions of this Act; and such County, County of a City, or County of a Town, or any portion thereof respectively, shall be deemed and taken to be a proclaimed District within the meaning of this Act.

4-
The Lord Lieutenant
may issue his Pro-
clamations, declaring
any County, &c. to
be so disturbed as
to require the appli-
cation of this Law;
and such County
shall be deemed a
proclaimed District.

And be it Enacted, That every such Proclamation shall warn the Inhabitants of every such County, County of a City, County of a Town, or part thereof, as shall be so proclaimed, to abstain from all seditious and other unlawful Assemblies, Processions, Confederacies, Meetings, and Associations, and to be and remain within their respective Habitations at all hours between Sunset and Sunrise, from and after such day as shall be named therein for that purpose.

5-
Such Proclamation
shall warn the Inha-
bitants to abstain
from Seditious and
other unlawful
Assemblies, &c.;
and to continue in
their Houses be-
tween Sunset and
Sunrise.

And be it Enacted, That every County, County of a City, County of a Town, or part thereof respectively, so proclaimed, shall be considered to all intents and purposes as a proclaimed District within this Act, from the day on which such Proclamation shall be published within such proclaimed District, by affixing a Copy thereof on some public place within the same District.

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Every County, &c.
so proclaimed shall
be a proclaimed
District within the
Act, from the pub-
lishing of the Pro-
clamation within
such District.

7.

All Justices, Constables, &c. and all Commissioned Officers, in Ireland, and any other Persons authorized by the Lord Lieutenant, are required to put down and suppress all Disturbances and Outrages in the proclaimed Districts.

and to search for, arrest, and bring to Trial Offenders.

And be it Enacted, That when any such Proclamation shall have been issued, all Justices, Constables, Peace Officers, and others to whom the execution of the Process of Law may properly belong, and also all Commissioned Officers commanding His Majesty's Forces in Ireland, or any part thereof, and such other persons as such Lord Lieutenant or other Chief Governor or Governors of Ireland shall think fit to authorize in that behalf, shall and each of them is hereby required and enjoined to take the most vigorous and effectual Measures for suppressing insurrectionary and other Disturbances and Outrages in any part of Ireland which may be specified in such Proclamation respectively, and to search for, arrest, and detain for Trial under this Act, every Person who shall be charged with any Offence which by the provisions of this Act may be cognizable by or before any Court hereinafter empowered and authorized to try such Offence.

8.

The Dublin Gazette to be conclusive Evidence of the issuing of the Proclamations therein contained.

And be it Enacted, That the production of the *Dublin Gazette*, containing the publication of any Proclamation or Order under this Act, shall in all proceedings, civil and criminal, be received and deemed conclusive Evidence of the issuing and of the contents of the Proclamation or Order so published.

9.

No Meeting allowed, in a proclaimed District, for petitioning Parliament, or for discussing any alleged Grievance, or any matter in Church or State, without a previous written Notice of Ten Days, specifying the Object of the Meeting, given to the Lord Lieutenant, and his Consent obtained.

And be it Enacted, That no Meeting of any Assembly, Association, or Body of Persons shall be held in any District proclaimed under this Act, for the purpose or under the pretence of petitioning Parliament, or discussing or deliberating on or respecting the subject of any alleged public Grievance, or any matter in Church or State, unless a written Notice, specifying the purpose of the intended Meeting of such Association, Assembly, or Body of Persons, and stating the Day, Hour, and Place at which the same shall be proposed to be holden, shall have been given, Ten Days at least previous to the day stated in such Notice, to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of Ireland, or, in case of his absence, to his Under Secretary, and the Consent in writing of such Lord Lieutenant or other Chief Governor or Governors for holding such Meeting, signified by such Chief or Under Secretary, shall be obtained; and every Meeting of any Association, Assembly, or Body of Persons which shall be holden for such Purposes and under such Pretexts, or any of them, in any District proclaimed under this Act, without such previous Notice and Consent as aforesaid, shall be deemed to be an unlawful Assembly; and every person present at the same shall, upon conviction, be deemed guilty of a Misdemeanor, and shall be liable to be tried, convicted, and punished by and before any Court acting under the authority of this Act.

Meetings held without such Notice and Consent declared to be illegal Assemblies, and every Person attending to be guilty of a Misdemeanor.

10.

The Lord Lieutenant, or any Person authorized by him, may commission Officers

AND for the speedy and effectual Trial and Punishment of the several Offences mentioned or referred to in this Act; BE it enacted,

That

That it shall and may be lawful for the Lord Lieutenant or other
 10 Chief Governor or Governors of *Ireland*, and any person by him
 or them duly authorized, from time to time, by Warrant or Warrants
 for that purpose under his or their signature or signatures, to commis-
 sion any Officer or Officers of His Majesty's Regular Forces, not being
 under the degree of a Field Officer, to convene, assemble and hold
 General Courts Martial within any District or Districts proclaimed
 according to the provisions of this Act, for the Trial of such Persons
 charged with Offences within such District as any of such Courts
 Martial shall be directed by any Warrant or Order of the Lord Lieut-
 enant or other Chief Governor or Governors of *Ireland*, or other
 Person duly authorized by him or them, to try.

And be it further Enacted, That such Courts Martial so constituted
 and appointed shall consist of any number of Officers of His Majesty's
 Regular Forces, not less than Five nor exceeding Nine, and shall have
 all powers and authorities incident to any Courts Martial, and also
 every power, right, jurisdiction and authority by law appertaining to
 any Court of Oyer and Terminer, Gaol Delivery or Sessions of the
 11 Peace, as far as such power, right, jurisdiction and authority may be
 applicable to the Proceedings of such Courts Martial, which Proceedings
 shall be conducted according to the manner of proceeding used by Courts
 Martial holden under the provisions of the Act for punishing Mutiny and
 Desertion, unless in so far as otherwise directed by this Act: Provided
 always, That no Officer shall be appointed to serve on any such Court
 Martial to be convened under this Act, who shall not have attained the
 age of Twenty-one years, and who shall not have served for Two years
 as a Commissioned Officer in His Majesty's Army; and provided also,
 that no Officer below the rank of a Field Officer shall be the President
 of such Court Martial: Provided also, That on Trials before such
 Courts Martial, Counsel shall be allowed to examine and cross-
 examine Witnesses as in Courts of Law.

And be it Enacted, That the Lord Lieutenant or other Chief
 Governor or Governors of *Ireland* shall nominate and appoint one of
 His Majesty's Serjeants at Law, or Counsel learned in the Law, to act
 at every such Court Martial; and such Serjeant or King's Counsel
 shall be and be deemed to be a Judge Advocate at and for the
 purposes of such Court Martial, and shall have all the Powers and
 Authorities, and perform all the Duties and Functions, which any
 12 Judge Advocate may or ought, in case of any Court Martial, to
 possess execute and discharge.

And be it Enacted, That the Persons so constituted and appointed
 Members of such Courts Martial shall, instead of any Oath or Oaths

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of the Army in
Ireland, not being
 under the degree of
 a Field Officer, to
 hold Courts Martial
 for Trial of Offences
 within this Act.

11.

Courts Martial so
 constituted to con-
 sist of not less than
 Five nor more than
 Nine, and to have
 all the Powers of
 Courts Martial and
 of Courts of Oyer
 and Terminer,
 Gaol Delivery, &c.

Proviso as to Age
 and Term of Service.

President not to
 be under Rank of
 Field Officer.

Counsel allowed

12.

The Lord Lieutenant
 shall nominate a
 Serjeant at Law or
 King's Counsel to act
 at such Court
 Martial, who shall
 perform the Duties
 of a Judge Advoca-
 te, &c.

13.

Oath to be taken by
 Members of the
 Court.

now usually taken by Members of Courts Martial, take the Oath following; (that is to say)

" I, A. B. Do swear, That I will well and truly try and determine the matter before me according to the Evidence; that I will faithfully and justly exercise all powers and authorities conferred upon me by an Act passed in the third year of the reign of King WILLIAM the Fourth, intituled [*here set forth the Title of this Act*]; that I will not divulge the Sentence of the Court until it shall be approved by the Lord Lieutenant or other Chief Governor or Governors of Ireland, or by some Person duly authorized by him or them; and that I will not upon any account at any time whatsoever disclose or discover the Vote or Opinion of any particular Member of the Court Martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court Martial in a due course of law."

And so soon as the said Oath shall have been administered to the respective Members of the said Court by the Person by this Act authorized to act as Judge Advocate, and which Oath the said Person so authorized is hereby empowered to administer, then the President of the said Court is hereby authorized and required to administer to the Person so appointed to act as Judge Advocate as aforesaid an Oath in the following words; (that is to say)

Oath of Judge
Advocate.

" I do swear, That I will faithfully and justly exercise all powers and authorities conferred upon me by an Act passed in the third year of the reign of King WILLIAM the Fourth, intituled [*here set forth the Title of this Act*]; and that I will not, upon any account, at any time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court Martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court Martial, in a due course of law.

" So help me GOD."

14-
Lord Lieutenant,
or Person authorized
by him, may order
Persons charged with
Offences hereinafter
mentioned to be tried
before such Courts
Martial, and
Sentences, when
confirmed, to be
carried into execution.

And be it further Enacted, That the Lord Lieutenant or other Chief Governor or Governors of Ireland, or other Person duly authorized by him or them, is and are hereby empowered to order that every Person charged with any of the offences hereinafter mentioned or referred to may be, and such Persons shall be summarily tried by and before such Court Martial; and the Sentence of such Court Martial, when duly confirmed by the Lord Lieutenant or other Chief Governor or Governors of Ireland, or by any Officer by him or them authorized to convene such Court Martial, and to confirm the Sentences of such Court Martial, shall be carried into

into execution, and shall have the like effect as if the Trial of such offences had been had before and the sentences had been passed by any Court of Oyer and Terminer or General Gaol Delivery, or Sessions of the Peace.

- 15 And be it Enacted, That it shall and may be lawful for every such Court Martial from time to time to issue such orders as to such Court shall seem fit for bringing before them any Person charged, by order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or by some person duly authorized by him or them for that purpose, with any offence by this Act made cognizable by such Court, or for executing and carrying into effect any sentence, so confirmed as aforesaid, of any such Court respectively, which orders all Sheriffs, Justices of the Peace, Gaolers, Constables, Officers and Ministers of Justice, and other persons to whom the same shall be directed, and to whom the execution thereof shall rightfully and properly appertain, shall and are hereby required to execute enforce and obey.

15.
Such Courts Martial may issue Orders for bringing before them Persons charged with Offences under this Act, or for carrying into effect their Sentences; and all Justices, Sheriffs, &c. shall execute the same.

- 16 And be it Enacted, That it shall be lawful for any such Court Martial, or any Member thereof, to summon any Person whatsoever to appear before such Court to give Evidence touching any offence, matter or thing cognizable by such Court, or touching any Person charged or accused before the same; and if the Person so summoned shall refuse to attend in obedience to such summons, it shall be lawful for such Court, or any Member thereof, to issue a warrant to apprehend and bring before such Court the Party so refusing; and in case of the refusal of any Party to be examined or to give evidence touching any matter to which he or she shall be interrogated by such Court, then it shall be lawful for such Court to commit the Person so refusing to custody for any period not exceeding Three Months, or until such Person shall submit to be examined and answer touching the matters before the said Court.

16.
Court Martial may compel the Attendance of Witnesses;

and commit in case of refusal to give Evidence.

And be it Enacted, That any Person liable to be prosecuted for any offence committed within any District proclaimed as aforesaid, contrary to the provisions of an Act passed in the Parliament of *Ireland* in the twenty-seventh year of the reign of King George the Third, intituled "An Act to prevent tumultuous Risings and Assemblies, and for the more effectual Punishment of Persons guilty of Ostrage, Riot and illegal Combination, and of administering and taking unlawful Oaths," or contrary to the provisions of an Act passed in the fiftieth year of the same reign, intituled, "An Act for the more effectually preventing the administering and taking of unlawful Oaths in *Ireland*, and for the Protection of Magistrates and Witnesses in Criminal Cases," or contrary to the provisions of a certain other Act

17.
Any Person liable to be prosecuted within any proclaimed District for any Offence against 27 G. 3. c. 15. (I.), 50 G. 3. c. 102, 1 & 2 W. 4. c. 44, or 2 & 3 W. 4. c. 118, or with any Offence against this Act, may be tried by such Courts Martial.

passed in the first and second years of the reign of His present Majesty, 17
 intituled, " An Act to amend an Act passed in the Parliament of
Ireland in the fifteenth and sixteenth years of the reign of his Majesty
 King GEORGE the Third, intituled, " An Act to prevent and punish
 tumultuous Risings of Persons within this Kingdom, and for other
 Purposes therein mentioned," or contrary to the Provisions of the
 said Act of the fifteenth and sixteenth years of King GEORGE the
 Third therein referred to, or contrary to the Provisions of a certain
 other Act passed in the second and third years of the reign of His
 present Majesty, intituled, " An Act to restrain for Five Years, in
 certain cases, Party Processions in *Ireland*," or contrary to the Pro-
 visions of any Act or Acts to continue the said Acts or any of them,
 and also every Person charged with any offence contrary to the
 provisions of this Act, shall and may be tried by and before a Court
 Martial to be appointed as aforesaid; and whether the offence so 18
 charged, having been committed subsequent to the passing of this Act,
 shall or shall not have been committed before the issuing of any Pro-
 clamations under this Act: Provided always, That in case the Lord
 Lieutenant should direct that any Person charged with any offence
 contrary to any of the Acts aforesaid, which by law now is or may be
 punishable with Death, shall be tried before any Court Martial ap-
 pointed under this Act, such Court, in case of conviction, shall, instead
 of the punishment of Death, sentence such Convict to Transportation
 for Life, or for any period not less than Seven Years; and provided
 also, that such Courts shall in no case impose the Penalty of Whipping
 on any Person convicted of any offence under the provisions of this
 Act.

Courts Martial,
 being directed by
 Lord Lieutenant,
 may try Capital
 Offences, and
 sentence to
 Transportation for
 Life or for a term
 not less than Seven
 Years; but not to
 impose the Penalty
 of Whipping.

18.

Any Magistrate,
 Peace Officer, or
 other Person autho-
 rized by the Lord
 Lieutenant, may
 commit to Prison
 any one found out
 of his House in the
 proclaimed District
 from One Hour after
 Sunset to Sunrise,
 who may be tried
 before any such
 Court Martial, and
 if convicted shall
 be deemed guilty of
 a Misdemeanor.

And be it Enacted, That any Magistrate, Peace Officer or other
 Person for that purpose authorized by the Lord Lieutenant or other
 Chief Governor or Governors of *Ireland*, shall and may cause to
 be apprehended and committed any Person who, within any such
 proclaimed District as aforesaid, shall be in the Fields, Streets,
 Highways, or elsewhere out of his or her Dwelling or Place of Abode,
 at any time from One hour after Sunset until Sunrise; and such
 Person shall and may be tried before any Court Martial held under 19
 this Act; and such Court Martial shall inquire into the said charge,
 and unless the person accused shall make it appear, to the satisfaction
 of such Court, that he or she was out of his or her house upon
 his or her lawful occasions, such Person shall be deemed guilty of a
 Misdemeanor, and such Court Martial shall and may proceed to try
 such offender accordingly.

19.

Any Justice, or any
 Person with Warrant
 of Justice, accom-
 panied by a Commis-
 sioned Officer or
 Chief Constable,

And be it further Enacted, That it shall and may be lawful for
 any Justice of the Peace within any County, County of a City, County
 of a Town, or other District proclaimed under this Act, and for
 any

any Person thereto authorized by the Warrant of any such Justice of the Peace, if the Person so authorized be accompanied by a Commissioned Officer of His Majesty's Army, or a Chief Constable of Police, at any time from One Hour after Sunset until Sunrise, to demand Admission, and in case admission shall be refused, or not obtained within a reasonable time after it shall have been first demanded, to enter by force into any House or other Building in any such proclaimed County, County of a City, or County of a Town, or other District, from which he shall suspect the Inhabitants or any of them to be then absent, and to search therein, so as to discover whether the Inhabitants or Inmates, or any of them, be absent between the said hours, or whether any Arms, Ammunition, or offensive Weapon be concealed therein; and any Magistrate or Peace Officer may cause to be apprehended and committed any Person or Persons who shall have been absent from their Houses at the time of such Search, and such person or persons shall be deemed guilty of a Misdemeanor, and shall be convicted and punished accordingly, unless such person or persons can make it appear to the satisfaction of the said Court, that he, she or they was or were absent on his, her or their lawful and proper occasions.

may, from One Hour after Sunset to Sunrise, demand Admission into any House or other Building in a proclaimed District, and if Entrance is refused may enter by force any House from which he suspects the Inhabitants are absent, and may search for them, or for Arms, Weapons, &c.

Persons absent shall be deemed guilty of a Misdemeanor, unless they prove some lawful Occasion of Absence.

And be it Enacted, That if any such Justice of the Peace, or other Person authorized by the Warrant of such Justice, shall in any such proclaimed District find any Arms or Ammunition, or any Pike, Pike Head, Spear, Dirk, or any other offensive Weapon, after the person or persons inhabiting the said House, or the person or persons who shall have the same so in his or her possession, shall have been called upon to deliver up the same, every such person shall be deemed guilty of a Misdemeanor, and convicted and punished accordingly by a Court Martial under this Act, unless such person shall make it appear to the satisfaction of such Court that such Arms, Ammunition or offensive Weapons as aforesaid were in his, her or their house, power or possession, without his, her or their knowledge, privity or consent.

20.

If, on Search, Arms are found, and the Person inhabiting the House, or having Possession of the Arms, has been called upon to deliver them up, such Person shall be deemed guilty of a Misdemeanor, and punishable by a Court Martial, unless he make it appear that the Arms were there without his Knowledge.

And be it Enacted, That if any Person shall publish or cause to be published, or shall sell, hawk, dispose of, or circulate any seditious Handbill, Paper or Pamphlet in any such proclaimed District, such person shall be deemed guilty of a Misdemeanor, and shall by and under the Sentence of such Court Martial as aforesaid, so confirmed as aforesaid, be committed to the Gaol of the County, County of a City, or County of a Town, for a time not exceeding Twelve Calendar Months: Provided always, That if such person shall discover, to the satisfaction of such Court Martial, the Person or Persons from whom he or she received, or by whom he or she was employed to publish, sell, hawk, dispose of, or circulate such Paper, it shall be lawful for such

21.

Any Person selling or circulating any seditious Paper in a proclaimed District shall be deemed guilty of a Misdemeanor, and liable to Imprisonment (for not more than Twelve Months), unless he discover by whom he was so employed.

Court Martial, if it shall so think fit, to order the said Person making such Discovery to be discharged.

22.

Every Person who shall injure the Property or Person of any one who has appeared as Juror, Witness, or Prosecutor, or for the purpose of any Prosecution or Civil Proceeding, or who, by Menaces or otherwise, shall deter any one from appearing as a Juror, Witness, &c. or otherwise, shall be liable for such Offence, if committed within any proclaimed District, by a Court Martial, and on Conviction be liable to Transportation for 7 or 14 years.

And he it Enacted, That every Person who shall injure either the Person, or the Property, real or personal, of any Person who has appeared or shall appear as a Juror, Witness, Prosecutor or otherwise, for the purpose of any Prosecution, or any Civil Action or Proceeding, fur or by reason of any thing done thereupon by such Person, or who shall by Menaces, or otherwise howsoever, deter or intimidate or endeavour to deter or intimidate any Person from appearing or acting in any such Prosecution or Civil Action or Proceeding, as a Juror, Witness, Prosecutor or otherwise, for the purposes of such Prosecution, Action or Proceeding, or from discharging his or her duty in that behalf, shall upon conviction be deemed guilty of a Misdemeanor, and shall be sentenced to be transported for any term not less than Seven nor more than Fourteen Years; and every such Offence, if committed within any such proclaimed District as aforesaid, shall be cognisable by a Court Martial appointed under the authority of this Act.

23.

Provided as to Offences punishable with Death under any Law now in force.

Provided always, That in all cases in which by any Law now in force any such Offence would amount to Felony, and the Party convicted thereof would be subject to be punished with Death, any such Offence shall still be deemed a Felony, and the Person convicted thereof by any competent Court other than a Court Martial under the Provisions of this Act, shall be subject to be punished with Death, any thing herein to the contrary notwithstanding.

24.

Persons making or aiding in the making of any Beacon, Bonfire, or other Signal, or in ringing the Bells of any Church or Chapel, or in any manner giving intimation to Persons engaged in any Assembly against the Provisions hereof, or giving Notice to or calling any Persons to assemble together, to the endangering of the public Peace, shall be deemed guilty of a Misdemeanor.

And he it further Enacted, That from and after the passing of this Act, no Person shall make, aid or assist in making, or be present for the purpose of aiding or assisting in the making of any Beacon, Bonfire, Light, Fire, Flash, Blaze, or any Signal by Smoke, or by any Rocket, Firework, Flag, firing of any Gun or other Firearms, or by blowing of Horns, or by ringing of any Church, Chapel or other Bell, or by any other contrivance or device, for the purpose of giving any Notice, Signal or Intimation to any Person or Persons engaged in any illegal Combination, or in any Association or Assembly, against the Provisions of this Act; and that no Person shall make or give, or assist in the making or giving, or be present for the purpose of assisting in the making or giving of any such Signal, or of any other Signal, Notice or Call, to or upon any person or persons whatsoever to assemble together, or to act in concert together, for any purpose not warranted by law, or which is prohibited by this Act, or to assemble in arms or in unusual numbers, and at unusual times and places, to the endangering of the public peace; and if any Person, contrary to the true intent and meaning of this Act, shall make

25 make or cause to be made, or aid or assist in the making, or be present for the purpose of assisting at the making of any such Signal, Notice or Call to or upon any such person or persons as aforesaid, or for any such purpose as aforesaid, such Person so offending shall be guilty of a Misdemeanor; and every such Offence committed within any District proclaimed in pursuance of the Provisions of this Act, shall be cognizable by any Court Martial appointed under this Act, and if committed within any other District, shall be tried and punished according to the course of the Common Law.

Every such Offence committed within a proclaimed District, to be cognizable by a Court Martial; in any other District, by course of Common Law.

Provided always, and be it further Enacted, That in case any Person be charged with or indicted for having made or caused to be made, or for having been present at the making of any such Signal, Notice, or Call as aforesaid, the burden of proof that such Signal or Call so charged as having been made with intent or for the purpose aforesaid, was not made with such intent or for such purpose, shall be upon the Person so charged or indicted as aforesaid.

25- Upon trial of any Person for the making of any such Signal, &c. the Proof that such Signal was not so made shall be upon the Person so charged.

26 And be it Enacted, That no Act, matter, or thing done in any such proclaimed District as aforesaid, in pursuance or execution of any power or authority hereby conferred, shall be questioned in any Court of the United Kingdom having Jurisdiction, Civil or Criminal, except as hereinafter mentioned; (that is to say) that all Officers, Non-commissioned Officers, and Soldiers who shall act under any such power or authority shall, for and in respect of any thing done under such power or authority, in any such proclaimed District as aforesaid, be responsible to Courts Martial to be bolden under any Statute in force for holding Courts Martial, by which Courts Martial respectively they shall be liable to be tried and punished for any offence against the Articles of War under any law then in force for such purposes; and such Courts Martial respectively shall have full and exclusive cognizance of all such matters and things which shall be objected against such Officers, Non-commissioned Officers, and Soldiers respectively, and proceedings shall be had thereon in the same manner as for offences against the Articles of War, and not otherwise; and no other Court in any part of the United Kingdom, whether civil or criminal, shall have cognizance or jurisdiction with respect to any act, matter or thing, which shall be done by any such Officer, Non-commissioned Officer or Soldier in pursuance of this Act, in any such proclaimed District as aforesaid; and any proceeding instituted had or commenced in any such Court as last mentioned, against any Officer, Non-commissioned Officer or Soldier, for or by reason of any such act matter or thing, whether by indictment, action or otherwise, shall be stayed by summary application to the Court in which the same shall have been instituted had or commenced; and that all Justices of the Peace, Con-

26. Nothing done in pursuance of this Act in any proclaimed District to be questionable in any Civil or Criminal Court. All Officers and Soldiers acting in pursuance of such Power or Authority shall be responsible only to Courts Martial.

stables, Policemen, and all other persons besides Officers, Non-commissioned Officers and Soldiers, who shall act under any such power or authority, for and in respect of any thing done under such power or authority in any such proclaimed District as aforesaid, shall be liable to be prosecuted in any Court of Criminal Jurisdiction under the Warrant of His Majesty's Attorney General for *Ireland*, and not otherwise, and being so prosecuted shall be proceeded against and punished for such offence according to the course of the Common Law.

27.

In the case of any Person arrested under this Act, the Person to whom the Warrant is directed may detain him in any Place within Ireland, and the Place where he is detained shall be deemed a lawful Goal for his Detention

And be it Enacted, That in cases where any Person or Persons shall during the continuance of this Act be arrested, committed, or detained in custody by force of any Warrant issued under the authority of this Act, or by any Person hereby empowered in that behalf, it shall and may be lawful for any Person or Persons to whom such Warrant or Warrants shall have been or shall be directed, to detain such Person or Persons so arrested or committed in his or their custody in any Place whatever within *Ireland*; and such Person or Persons to whom such Warrants have been or shall be directed, shall be deemed and taken to be to all intents and purposes lawfully authorized to detain in the same custody, and to be the lawful gaolers and keepers of such Persons so arrested, committed or detained; and that such Place and Places where such Persons so arrested, committed or detained, are or shall be detained in custody, shall be deemed and taken to all intents and purposes to be the lawful Prisons and Gaols for the detention and safe custody of such Person and Persons; and that it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, by Warrant signed by him, or for the Chief Secretary of such Lord Lieutenant or other Chief Governor or Governors, by Warrant signed by such Secretary, or by Warrant signed by any Officer or Officers commanding His Majesty's Forces in *Ireland*, or such other Person or Persons as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall think fit to authorize in that behalf, from time to time, as occasion shall be, to change the Person or Persons by whom and the Place in which such Person or Persons so arrested shall be detained in safe custody.

28.

Provided that Copies of such Warrants shall be transmitted to the Clerk of the Crown, and by him filed.

Provided always, and be it Enacted, That Copies of such Warrants respectively shall be transmitted to the Clerk of the Crown, and shall be filed by him in the Public Office of the Pleas of the Crown at the City of Dublin.

29.

Persons knowingly swearing falsely, in giving Evidence before any Court under this Act, shall be liable to all Penalties of corrupt Perjury.

And be it Enacted, That every Person who shall knowingly and corruptly swear falsely in any Evidence given by such Person before any Court constituted or acting under the authority of this Act, shall be deemed and adjudged to be guilty of the crime of wilful and corrupt Perjury;

Perjury, and shall upon conviction thereof be liable to all the Penalties and Punishments now by Law incident to the crime of wilful and corrupt Perjury.

And be it Enacted, That if any Person who shall be detained in custody under the powers created by this Act, charged with any Offence committed in any proclaimed District as aforesaid, shall sue forth a Writ of Habeas Corpus within Three Calendar Months from the time of his first arrest, it shall be a good and sufficient Return to such Writ, that the Party suing forth the same is detained by virtue of the powers in that behalf hereby conferred, and when such Return shall be made it shall not be necessary to bring up the body of the person so detained.

30.

In case of a Habeas Corpus sued out within Three Calendar Months by a Person detained in Custody under the Powers of this Act, it shall be a sufficient Return that the Person so detained is detained by virtue of this Act.

And be it Enacted, That no Justice or Justices of the Peace shall have any power or authority to admit to Bail any Person charged with any Offence hereby made cognizable by any Court Martial appointed under the provisions of this Act: Provided always, That no Person shall be detained in custody by virtue of the powers contained in this Act, for a longer time than Three Calendar Months from the time of his first arrest, without being brought to Trial for the Offence or Offences for which he is so detained in custody.

31.

Offences under this Act not bailable.

32. Persons arrested, to be brought to Trial within Three Calendar Months.

Persons arrested, to be brought to Trial within Three Calendar Months.

And be it Enacted, That in all cases where any Offence committed within such District proclaimed as aforesaid shall be punished with Imprisonment under this Act, or by any Court authorized under the provisions thereof, other than and except any Offence created by this Act for being present at any unlawful Assembly, it shall and may be lawful for such Court to order and award, if they shall so think fit, that in addition to the Imprisonment thereby directed, the Person convicted shall be kept to hard Labour during the whole or any part of the period to which such Imprisonment shall extend.

32.

Hard Labour may be added to Imprisonment, for certain Offences.

33. Magistrates of next adjacent Counties may execute this Act within Counties of Cities (except in Dublin), and Magistrates of Counties of Cities may execute it in adjacent Counties.

33.

Magistrates of next adjacent Counties may execute this Act within Counties of Cities (except in Dublin), and Magistrates of Counties of Cities may execute it in adjacent Counties.

And be it Enacted, That it shall and may be lawful to and for the Magistrates of the next adjacent Counties at large respectively to execute this Act within the several Counties of Cities or Counties of Towns in *Ireland*, except the County of the City of *Dublin*; and in like manner for the several Magistrates of such Counties of Cities and Counties of Towns to execute this Act in the next adjacent Counties at large.

34.

Powers given by this Act to Magistrates of Counties, are given also to Magistrates of Counties of Towns or of Cities.

And be it Enacted, That all the powers and authorities given to, and all duties required from Magistrates of Counties at large, under and by virtue of this Act, shall be and are hereby given to and required from all Magistrates of Counties of Towns or Counties of Cities in *Ireland*.

26.

B 3

And

35-

Actions against
Persons for any
thing done under this
Act, not within a
proclaimed District,
shall be commenced
within Three Months
after the Act com-
plained of was com-
mitted.

The Parties need
not plead the
General Issue.

And be it Enacted, That if any Action, Suit, Pleint, or Information shall be commenced or prosecuted against any Person or Persons for what he or they shall do in pursuance and execution of this Act, in any part of *Ireland* not being in any such proclaimed District as aforesaid, the same shall be commenced within Three Months after the act complained of was committed, and shall be brought or laid within the County where the act was committed; and such person so sued may plead the General Issue of Not Guilty, or any other general issue which the nature of the case may admit, and upon Issue joined may give this Act and the special matter in Evidence; and if the Plaintiff or Prosecutor shall become Nonsuit, or forbear prosecution, or suffer Discontinuance, or if a Verdict or Judgment on Demurrer shall pass against him, the Defendant shall recover Treble Costs.

36.

In case of Verdict
for the Defendant,
the Judge may
certify that the Act
complained of was
done by virtue of
this Act, and the
Defendant in that
case shall be allowed
his Treble Costs.

AND whereas doubts may arise whether any such Action, Suit, Pleint or Information was so commenced or prosecuted against the Defendant or Defendants therein for what he or they did in pursuance or execution of this Act; BE it Enacted, That in all cases where there shall be a Verdict for the Defendant, if it shall appear to the Judge or Court before whom the Cause shall have been tried, that the same was prosecuted or instituted for or by means of any act done in pursuance or execution of this Act, such Judge or Court shall certify the same on the Record, and thereupon such Treble Costs shall be adjudged as aforesaid; and if the Plaintiff or Prosecutor shall become Nonsuit, or forbear prosecution, or suffer a Discontinuance, or if Judgment shall pass against him on Demurrer, it shall and may be lawful for the Defendant or Defendants, or any of them, to suggest on the Record that such Action, Suit, Pleint, or Information was brought against such Defendant or Defendants for what he or they did in pursuance or execution of this Act, which Suggestion may be traversed by the Plaintiff if he shall think proper so to do, and Issue being joined thereupon, the same shall be tried by *Nisi Prius* according to the usual course of such Court on Issues joined therein; and if such Suggestion shall not be traversed, or being traversed the Issue thereon shall be found for such Defendant or Defendants, he or they shall thereupon be entitled to his or their Treble Costs as aforesaid, together with the Treble Costs of the said Suggestion, and of the proceedings thereon (if any); and if such Issue shall be found for the said Plaintiff, he shall be entitled to the Costs of the said Suggestion and the proceedings thereon, and the same shall be set off against the Costs to be adjudged to the Defendant or Defendants making such Suggestion, and the Judgment shall be for the Balance of the said Costs, if any.

37-

In case of Verdict
for the Plaintiff in
Action for false

Provided always, and be it Enacted, That when a Verdict shall be given for the Plaintiff in any such Action to be brought against any Justice

Justice of the Peace, Peace Officer or other Person for taking or imprisoning or detaining any Person, or entering Houses, under colour of any authority given by this Act, and it shall appear to the Judge or Judges before whom the same shall be tried, that there was a probable cause for doing the act complained of in such Action, and the Judge or Court shall certify the same on record, then and in that case the

37 Plaintiff shall not be entitled to more than Sixpence Damages, nor to any Costs of Suit: Provided also, That where a Verdict shall be given for the Plaintiff in any such Action as aforesaid, and the Judge or Court before whom the cause shall be tried shall certify on the Record that the injury for which such Action was brought was wilfully and maliciously committed, the Plaintiff shall be entitled to Treble the Costs of Suit.

Imprisonment, or entering a House, if it appear to the Judge that there was probable cause for so doing, and he certifies accordingly, the Plaintiff shall recover only Sixpence Damages, and not the Costs of Suit; but Plaintiff shall recover Treble Costs if the Judge certify the Act to be malicious.

And be it Enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, by a new Proclamation to be made by and with the advice of the Privy Council of *Ireland*, to revoke any Proclamation issued in pursuance of this Act, as to the whole or any part of the District thereby proclaimed, which new Proclamation shall be forthwith transmitted by the Clerk of the Privy Council to the Lord Lieutenant of the County, County of a City, or County of a Town, who shall

38 forthwith notify the same to each Court Martial, if actually sitting, and if not, then at the next sitting of such Court, and such Court shall thereupon cause the same to be read in open court; and so such new Proclamation being read, the original Proclamation mentioned therein shall forthwith stand and be revoked so far as the said new Proclamation shall purport to revoke the same; and if no part of such County, County of a City, or County of a Town shall then remain proclaimed, the authorities and powers of such Court shall forthwith cease and determine.

38.
The Lord Lieutenant may by Proclamation revoke any former Proclamation.

Provided always, and be it Declared and Enacted, That nothing in this Act contained shall be construed to take away, abridge or diminish the acknowledged Prerogative of His Majesty, in respect of appointing and convening Courts Martial according to the provisions of the Act for punishing Mutiny and Desertion, or the undoubted Prerogative of His Majesty, for the public safety, to resort to the exercise of Martial Law against open enemies or traitors, or any powers by law vested in the said Lord Lieutenant of *Ireland*, or other Chief Governor or Governors of *Ireland*, with or without the Advice of His Majesty's Privy Council, or in any other Person or Persons whatsoever, to suppress

39 Insurrection and Disturbances or Treason and Rebellion, and to do any act warranted by law for that purpose, in the same manner as if this Act had never been made, or in any manner to call in question any Acts heretofore done for the like purposes.

39.
Nothing in this Act shall be construed to take away or annul the Prerogative of the Crown to appoint Courts Martial, or to resort to the exercise of Martial Law, or to any powers given by Law for Suppression of Insurrection.

40.
This Act to
continue in force
till 1st Aug. 1834.

And be it Enacted, That this Act shall continue and be in force until the First Day of August One thousand eight hundred and Thirty-four, and no longer; and that it shall and may be lawful to repeal, amend or alter this Act during this present Session of Parliament.

41.
The Revocation of
any Proclamation,
or Expulsion of this
Act, not to void or
suspend any
Sentence passed
under this Act.

Provided always, That neither the revocation of any Proclamation by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, nor the expiration of this Act, shall annul or suspend any Sentence passed against any Person or Persons for Offences of which such Persons shall have been or shall be convicted by any Court Martial under this Act.

3 WILL. IV.—Sess. 1833.

(*Ireland*.)

A

B I L L,

INTITLED,

AN ACT for the more effectual Suppression
of local Disturbances and dangerous
Associations in *Ireland*.

Enacted by The House of Commons, in the Fifth,
as Fifth Year 1833.